



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

NPC ADVISORY 2020-01

SUBJECT: PROTOCOLS FOR THE PUBLICATION OF DECISIONS, RESOLUTIONS AND ORDERS ON THE NPC WEBSITE

WHEREAS, Section 7(b) of the R.A. 10173 mandates the National Privacy Commission to receive complaints, institute investigations, facilitate or enable settlement of complaints through the use of alternative dispute resolution processes, adjudicate, award indemnity on matters affecting any personal information, prepare reports on disposition of complaints and resolution of any investigation it initiates, and, in cases it deems appropriate, publicize any such report;

WHEREAS, Section 40 of R.A. 10173 mandates the National Privacy Commission to undertake whatever efforts it may determine to be necessary or appropriate to inform and educate the public of data privacy, data protection and fair information rights and responsibilities;

WHEREAS, it is incumbent upon the National Privacy Commission to consider the provisions of R.A. 10173 in the performance of its abovementioned mandate;

WHEREAS, under Section 11(d) of R.A. 10173, the principle of proportionality must be observed in the National Privacy Commission's publication of its Decisions, Orders, and Resolutions in the NPC Website.

NOW THEREFORE, for the guidance of the public, the Commission issues the following policies and protocols for the promulgation and publication of Commission Decisions, Resolutions, and Orders posted in the NPC website.

SECTION 1. SCOPE OF PUBLICATION

- a) These guidelines shall cover all Commission Decisions, Resolutions and Orders issued by the Commission *En Banc*.
- b) The following shall not be published on the NPC the website:



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

- i. Cases decided on the basis of compromise agreements, mediated settlement agreements, quitclaims and other modes of alternative dispute resolutions as these are not decided on the basis of merit and therefore lack teaching value for the public.
 - ii. Interlocutory Decisions, Orders, and Resolutions that do not dispose of the case or breach notification with finality.
 - iii. Decisions, Orders, and Resolutions that may be subject of a Motion for Reconsideration, unless the reglementary period to file such has lapsed.
- c) Notwithstanding the enumeration in paragraph (b), the Commission may, at its own discretion, publish Decisions, Orders and Resolutions where public interest warrants or for the education of the public.

SECTION 2. MODIFICATION REQUIREMENTS

The Commission Decisions, Resolutions and Orders shall be prepared accordingly:

- a) Two (2) versions shall be produced for each case. The first version retains the identity of the data subjects. The first version shall only be reviewed and stored within the Commission, forwarded to the parties in the case, and, if necessary, transmitted to other government agencies for appropriate action.

The second version will be prepared once the first version is finalized and agreed upon by the Commissioners. The Commissioner from whom the first version originated shall be responsible for producing the second version. This copy will be distributed to and confirmed by the Commissioners prior to its publication on the NPC website.

- b) The second version shall pseudonymize the identity of the data subjects, with the following details being altered/removed as determined by the Commissioner in charge of preparing the second version:
 - i. The complete names of data subjects shall be replaced with fictitious initials in all mentions within the case. This may either follow the initials of the data subject, or



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

any combinations of letters are allowed so long as it will not identify, directly or indirectly, the individual/parties within the case.

- ii. Whenever applicable, the disclosure of personal or sensitive personal information shall be limited so as not to place the parties at risk of harm. For instance, if the address is important in giving context to the case, only the province or city shall be included.

SECTION 3. RETROACTIVITY

These guidelines shall apply retroactively for cases already published on the website.

SECTION 4. EFFECTIVITY

This guideline shall be effective immediately upon the approval of the Commission.

Issued this 18th day of June 2020.

(SGD.)
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(SGD.)
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